

AN ORDINANCE      **101840**

**SELECTING CIVIL ENGINEERING CONSULTANTS, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE PRUE ROAD LOW WATER CROSSING PROJECT, AN AUTHORIZED 2003 STORM WATER REVENUE BOND FUNDED PROJECT, LOCATED IN DISTRICT 8; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$58,520.96; AUTHORIZING \$5,852.10 FOR PROJECT CONTINGENCY AND \$4,506.11 FOR CAPITAL ADMINISTRATIVE COSTS, FOR A TOTAL AMOUNT OF \$68,879.17.**

\* \* \* \* \*

**WHEREAS, Civil Engineering Consultants, Inc.** submitted a proposal to provide the necessary professional engineering services in connection with the Prue Road Low Water Crossing Project; and

**WHEREAS,** this contract provides for the installation of a cross drainage structure on Prue Road at Huebner Creek to eliminate the low water crossing and the necessary reconstruction of Prue to accommodate the drainage structure; and

**WHEREAS,** it is now necessary to authorize the selection of said firm, authorize the negotiation of a professional services contract and provide for payment of said contract, as well as, payment for project expenses; and

**WHEREAS,** approval of this ordinance will be a continuation of City Council policy to complete the 2003-2007 Storm Water Revenue Bond funded Projects, **NOW THEREFORE;**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1. Civil Engineering Consultants, Inc.** is hereby selected to provide professional engineering services in connection with the Prue Road Low Water Crossing Project. A copy of the proposal is attached hereto as **Attachment I.**

**SECTION 2.** City staff is authorized and directed to commence negotiations with said firm to reach an agreement on a contract for such work at a fair and reasonable price not to exceed \$58,520.96.

**SECTION 3.** If a contract can be negotiated in accordance with the terms of the standard-form contract for engineering services, and in accordance with the price provisions contained herein, the City Manager or her designee is authorized to execute such an agreement without further City Council action. A copy of such standard form contract appears in substantially the same form as **Attachment II** and is incorporated by reference herein. Should a contract be negotiated which varies from the standard terms, the contract must be considered through a subsequent ordinance. If so, City Council must approve the contract terms and insure that the compensation provided meets the legal requirements set out in Section 2254.004 of the Texas Government Code.

**SECTION 4.** The following financial adjustments are hereby approved:

- a) The amount of \$68,879.17 is appropriated in fund 48003000, 2003 Storm Water Revenue Bonds, WBS RB-00078-01-01-63 GL account 6102100 – Interfund Transfer out entitled

Transfer to 23-00153-90-08. The amount of \$68,879.17 is authorized to be transferred to fund 48099000.

- b) The budget in fund 48099000, Project Definition 23-00115, Prue Road Low Water Crossing, shall be revised by increasing WBS element 23-00115-90-08, entitled TRF FR WBS GRB-00078-01-01-63, GL account 6101100 – Interfund Transfer In, by the amount of \$68,879.17.
- c) The amount of \$58,520.96 is appropriated in Fund 48099000, Project Definition 23-00115, Prue Road Low Water Crossing, WBS element 23-00115-01-02 is authorized to be encumbered and made payable to **Civil Engineering Consultants, Inc.**
- d) The amount of \$5,852.10 is appropriated in Fund 48099000, Project Definition 23-00115, Prue Road Low Water Crossing, WBS element 23-00115-05-06 is authorized to be encumbered and made payable for project contingencies.
- e) The amount of \$4,506.11 is appropriated in Fund 48099000, Project Definition 23-00115, Prue Road Low Water Crossing, WBS element 23-00115-05-06 is authorized to be encumbered and made payable for capital program administrative costs.

**SECTION 5.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 6.** This ordinance shall take effect on the 25th day of December, 2005.

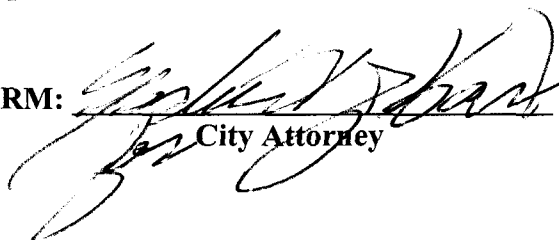
**PASSED AND APPROVED** this 15th day of December, 2005.

  
M A Y O R  
PHIL HARDBERGER

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney



CIVIL ENGINEERING CONSULTANTS  
DON DURDEN, INC.

MUNICIPAL • DEVELOPMENT  
SURVEYING • TRANSPORTATION

September 15, 2005

Mr. Dean Bayer, P. E.  
Capital Projects Manager  
City of San Antonio, Department of Public Works,  
P. O. Box 839966  
San Antonio, TX 78283-3966

Reference: **Prue Road Low Water Crossing**  
**CEC Project Number E0238800**

Subject: **Proposal for Engineering and Surveying Services**

Dear Mr. Bayer:

Reference is made to a meeting held on September 2, 2005 with you, Mr. Bill Krause, Mr. Kent Hickingbottom, and the undersigned to discuss the proposal made by CEC for the additional engineering and surveying services to complete the project. The following is a listing of the issues:

1. Determine the requirement for the preparation of a Section 404 Permit. Per current understanding of the Section 404 requirements, wetland conditions do appear to exist, but the exact limits of what would be considered wetlands needs to be determined. This will also require an initial archeological study and a survey to determine the limits of any wetlands that were found.
2. Preparation of surveys and field notes for tracts not adjacent to the existing Prue Road right-of-way that will require extensive surveying. These services are deemed additional to the engineering and surveying services being provided per the agreement with DeZavala Capital Associates 1992-1, Ltd. for the design of a new drainage structure and widening of Prue Road at Huebner Creek.
3. The original agreement between the City and the DeZavala Capital Associates 1992-1, Ltd. did not include the cost of engineering services typically performed during the bidding and construction phase services.

**ATTACHMENT I**

To Ordinance No. \_\_\_\_\_

Approved on December 15, 2005

11550 I.H. 10 WEST SUITE 395 SAN ANTONIO, TEXAS 78230-1037

TEL: 210.641.9999 FAX: 210.641.6440 EMAIL: CEC@CECTEXAS.COM

WWW.CECTEXAS.COM

Reference is made to a telephone conversation held between you and the undersigned on August 12, 2005 concerning this project. In order to get this project moving forward again, the following proposal for engineering services is made as shown below:

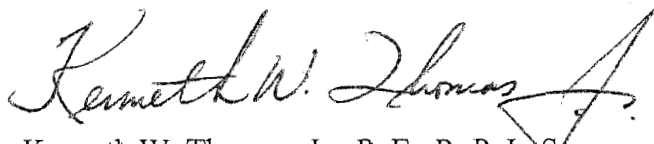
|    |  |                    |
|----|--|--------------------|
| 1. | Legal description for Right-of-Way Parcels | \$22,480.00        |
| 2. | Bidding and Construction Phase services.   | <u>\$36,040.96</u> |
|    | Subtotal                                   | \$58,520.96        |

In order to initiate the process regarding the need for a Section 404 permit, CEC is having SWCA conduct an on-site jurisdictional water determination and delineation of any wetlands and other waters of the United States. This information will be provided to the City upon completion to complete the permitting process. If the City desires, SWCA can be employed as additional services to obtain the permits.

Partial payment of the services performed will be made upon submittal of monthly invoices up to 90 % of the item. If this meets with your satisfaction, please send us a notice to proceed after City Council approves this contract. If you have any questions, please call me at 641-9999.

Very Truly Yours,

**CIVIL ENGINEERING CONSULTANTS, INC.**



Kenneth W. Thomas, Jr., P. E., R. P. L. S.  
Principal & Public Works Division Manager